

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Corrado FOGHER ) Re: Information Disclosure Statement  
U.S. Appln. No.: not yet )  
assigned ) Group: not yet assigned  
U.S. Filing Date: concurrently ) Examiner: not yet assigned  
herewith )  
International Application No: )  
PCT/IT99/00226 )  
International Filing Date: )  
19 July 1999 ) Our Ref.: B-4075PCT 618484-4  
For: "A SYNTHETIC POLYNUCLEOTIDE)  
CODING FOR HUMAN LACTOFERRIN, )  
VECTORS, CELLS AND TRANSGENIC )  
PLANTS CONTAINING IT" ) Date: January 16, 2001

Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Attn: United States Designated/Elected Office (DO/EO/US)

Sir:

In accordance with the Applicant's duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first substantive Office Action.

The documents listed in the enclosed Form PTO-1449 (modified) include the documents cited in the International Search Report of the subject PCT application. Copies of the International Search Report and the documents cited on the enclosed Form PTO-1449 (modified) are also enclosed herewith.

The filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is

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considered to be, material to patentability, or that no other material information exists.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

If any fees are due, please charge our Deposit Account No. 12-0415 or credit any overpayment to our Account No. 12-0415. No fees should be due because this Information Disclosure Statement is being filed concurrently herewith.

Respectfully submitted,



Richard P. Berg  
Attorney for Applicant  
Reg. No. 28,145

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Enclosures: Form PTO-1449 (modified) (1 page)  
copy of International Search Report (4 pages)  
copies of documents listed in Form PTO-1449 (modified)

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| Form PTO-1449 (Modified)                         | ATTY DOCKET NO.<br>B-4075PCT 618484-4              | U.S. SERIAL NO.<br>09/743823<br>Not yet assigned |
| LIST OF PATENTS AND<br>PUBLICATIONS<br>STATEMENT | INTERNATIONAL<br>APPLICATION NO.<br>PCT/IT99/00226 | INTERNATIONAL<br>FILING DATE<br>19 July 1999     |
|  | APPLICANT(S)<br>Corrado FOGHER                     |  |
|  | FILING DATE<br>Concurrently herewith               | GROUP<br>Not yet assigned                        |

January 16, 2001

## U.S. PATENT DOCUMENTS

| Examiner<br>Initial | Document Number | ISSUE Date | Name | Class | Subclass | Filing Date if<br>Appropriate |
|---------------------|-----------------|------------|------|-------|----------|-------------------------------|
|                     |                 |            |      |       |          |                               |
|                     |                 |            |      |       |          |                               |

## FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | DATE    | COUNTRY | CLASS | SUBCLASS | TRANSLATION<br>YES/NO |
|-----------------|---------|---------|-------|----------|-----------------------|
| 96/37094        | 11/1996 | WO      |       |          |                       |
| 91/13993        | 9/1991  | WO      |       |          |                       |
| 98/06860        | 2/1998  | WO      |       |          |                       |
| 2 762 850       | 11/1998 | FR      |       |          |                       |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

|  |   |
|--|---|
|  | Salmon, et al., "Production of Human Lactoferrin in Transgenic Tobacco Plants," XP000863470, Protein Expression and Purification 13, Article PT980886, pgs. 127-135 (1998).   |
|  | Mitra, et al., "Expression of a Human Lactoferrin cDNA in Tobacco Cells Produces Antibacterial Protein(s)," XP002048441, Plant Physiol., pgs. 977-981 (1994).   |
|  | Ward, et al., "A System for Production of Commercial Quantities of Human Lactoferrin: A Broad Spectrum Natural Antibiotic," XP002048442, Biotechnology Vol. 13, pgs. 498-503 (1995).  |
|  | Zhang, et al., Abstract of "Development of Transgenic Plants with Non-Plant Antibacterial Protein Genes for Resistance to Bacterial Pathogens Lactoferrin, Nicotiana Tabacum, Agrobacterium Tumefaciens," XP002048439, Dissertation Abstracts International (1996). |
|  | Watanabe, et al., "Nucleotide Sequence of the Basic 7S Globulin Gene from Soybean," XP002125177, Plant Physiol., pgs. 1019-1020 (1994).   |

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
|          |                 |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.